

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Intellectual Ventures II LLC,

Plaintiff,

V.

**Bitco General Insurance Corp., f/k/a,
Bituminous Casualty Corp.; and
Bitco National Insurance Co., f/k/a
Bituminous Fire and Marine Insurance Co.,**

Defendants.

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CIVIL ACTION NO. 6:15-CV-59-JRG
LEAD CASE

JURY TRIAL DEMANDED

JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to the Court’s Docket Control Order (Dkt. No. 52), Plaintiff Intellectual Ventures II LLC (“Intellectual Ventures”) and Defendants hereby submit this Joint Claim Construction Statement.

(a) The construction of those claim terms, phrases, or clauses on which the parties agree;

With regard to U.S. Patent No. 7,516,177, the parties have agreed to the construction of “indicia” as “an indicator.”

(b) Each party's proposed construction of each disputed claim term, phrase, or clause, together with an identification of all references from the specification or prosecution history that support that construction, and an identification of any extrinsic evidence known to the party on which it intends to rely either to support its proposed construction of the claim or to oppose any other party's proposed construction of the claim, including, but not limited to, as permitted by law, dictionary definitions, citations to learned treatises and prior art, and testimony of percipient and expert witnesses;

See Exhibit A, attached hereto containing the Parties' proposed constructions for each disputed claim term of U.S. Patent Nos. 7,516,177 and 8,929,555.

(c) The anticipated length of time necessary for the Claim Construction Hearing

The parties expect the Claim Construction Hearing to require 3 hours, with 1.5 hours allocated per side.

(d) Whether any party proposes to call one or more witnesses, including experts, at the Claim Construction Hearing, the identity of each such witness, and for each expert, a summary of each opinion to be offered in sufficient detail to permit a meaningful deposition of that expert; and

Neither party intends to call any witnesses at the Claim Construction Hearing.

(e) A list of any other issues which might appropriately be taken up at a prehearing conference prior to the Claim Construction Hearing, and proposed dates, if not previously set, for any such prehearing conference.

Neither party is aware of any issues necessitating a prehearing conference.

Date: September 16, 2015

Respectfully submitted,

/s/ Christian Hurt

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a) and served on all counsel who have consented to electronic service on this the 16th day of September, 2015.

/s/ Christian Hurt

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